

REMARKS

Claims 1-7 and 9-11 are now pending in the application and stand finally rejected. No claims are amended. Claims 1-7 and 9-11 remain pending.

CONSIDERATION AFTER FINAL REJECTION

Consideration of these remarks after Final Rejection is proper because they put the claims in an allowable condition and require no further examination. Further and favorable consideration is urgently solicited.

COMMENTS ON THE EXAMINER'S RESPONSE TO ARGUMENTS

As a preliminary matter, Applicants wish to rebut the statement in section 6 of the Final Rejection that "features upon which Applicant relies . . . are not recited in the rejected claim(s)." Section 6 of the Final Rejection states:

In response to Applicant's argument that the references fail to show certain feature of Applicant's invention, it is noted that the features upon which Applicant relies (i.e., blow moulding a selected plastics material comprising ABS and PC) are not recited in the rejected claim(s).

Applicants do not understand this statement, because the feature noted (blow moulding a selected plastics material comprising ABS and PC) is indeed part of the rejected claims. Because the feature is present in the rejected claims, Applicants respectfully request reconsideration of the claim rejections.

REJECTION UNDER 35 U.S.C. § 103

Claims 1-7 and 9-11 are rejected as obvious over the Spencer reference (U.S. Pat. No. 6,619,689) in view of the Hirai reference (U.S. Pat. No. 5,945,185). Applicants respectfully traverse the rejection and request reconsideration.

As applied to claims 1 and 9, the Spencer reference is cited for a disclosure of blow moulding an air bag from polycarbonate (PC). As noted on page 2 of the Office Action, the Spencer reference does not disclose the use of ABS. The Hirai reference is then apparently cited for the proposition of an airbag containing ABS. Upon combining with *Spencer*, the Examiner alleges the claims are obvious.

But the Hirai reference does not provide any teaching to combine ABS with the PC airbag of the primary Spencer reference. Attention is drawn to the cited passage of *Hirai*, where a blow moulded airbag is described that is a combination of ABS and a thermoplastic polyurethane resin. The secondary reference teaches to use ABS along with polyurethane resin; there is no suggestion to use it along with polycarbonate (PC) as in the primary reference. That teaching is found only in the current specification and claims. The references are being applied as they are only because Applicants have described air bags blow moulded from PC and ABS. Because the rejection is thus based on impermissible hindsight, Applicants respectfully request it be withdrawn.

The dependent claims contain other features that are not present in or suggested by the combined references. For example, the Spencer reference does not disclose an indented region containing an annular indented groove as recited in the claims 3 and 4. To illustrate this, Figure 14 of the reference of *Spencer* is reproduced here for convenience:

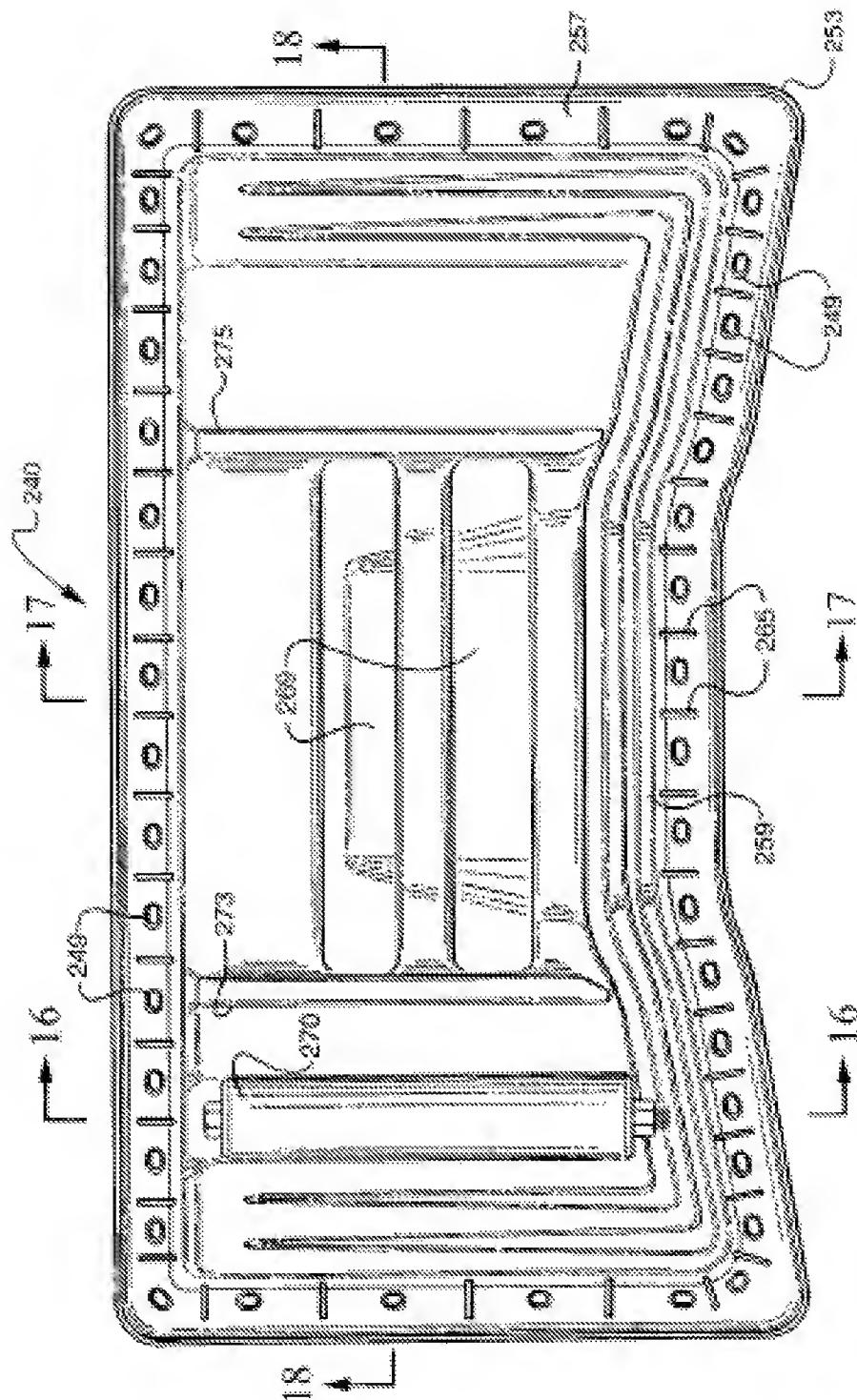


FIG. 14

Applicants respectfully submit that the indented region (259) of Figure 14 of the reference does not disclose an annular indented groove as recited in the dependent

claims. For this further reason, Applicants respectfully request the rejection be withdrawn.

Claims 1-3, 6-7 and 9-10 stands rejected as obvious over the Khoudari reference (U.S. Publ. No. 2002/01858847) in view of the Matsuoka reference (U.S. Publ. No. 2004/0138377). Applicants respectfully traverse the rejection and request reconsideration.

As with the combined Spencer and Hirai references applied above, the combined Khoudari and Matsuoka references do not disclose or suggest an airbag blow moulded from a combination of PC and ABS. As with the other rejection, the primary reference (*Khoudari*) does not specifically state using ABS. See Final Rejection, page 4. As before, the secondary Matsuoka reference is cited for the proposition of using ABS in an airbag. Applicants respectfully submit that the references do not provide any apparent reason to combine ABS as mentioned in *Matsuoka* with PC as used in *Khoudari*. Once again, any motivation to combine the references as suggested in the Final Rejection is found only in Applicant's own description of the invention. Because application of the references is thus based on impermissible hindsight, Applicants respectfully request the rejection be withdrawn.

Claims 4 and 5 - reciting an annular groove and a central indented area - are not rejected over the combined Khourdari and Matsuoka references. Applicants appreciate this consideration and respectfully request that claims 4 and 5 be passed to a state of allowability.

CONCLUSION

For the reasons discussed above, Applicants believe that claims 1-7 and 9-11 are in an allowable condition. Accordingly, Applicants respectfully request an early Notice of Allowance. In the alternative, Applicants respectfully request an Advisory Action stating whether the remarks can be considered at this time after a Final Rejection. The Examiner is invited to telephone the undersigned if that would be helpful to resolving any issues.

Respectfully submitted,

Dated: October 21, 2009

By: /Mark A. Frentrup/
Stephen T. Olson, Reg. No. 36,626
Mark A. Frentrup, Reg. No. 41,026

HARNESS, DICKEY & PIERCE, P.L.C.
P.O. Box 828
Bloomfield Hills, Michigan 48303
(248) 641-1600

STO/MAF/cg